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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/751,351	12/27/2000	Byoung Whi Kim	300055.481	8816
500	7590	01/25/2005		
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC 701 FIFTH AVE SUITE 6300 SEATTLE, WA 98104-7092			EXAMINER LI, SHI K	
			ART UNIT 2633	PAPER NUMBER

DATE MAILED: 01/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/751,351

Applicant(s)

KIM ET AL.

Examiner

Shi K. Li

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,9-11,17 and 19-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1,2,4-6 and 9-11 is/are allowed.
6) ☒ Claim(s) 17 and 22-24 is/are rejected.
7) ☒ Claim(s) 19-21 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 9 is objected to because of the following informalities: "n number of the transmitters" in line 13 of the claim should read "n number of transmitters". Appropriate correction is required.
2. Claim 20 is objected to because of the following informalities: "the λ -tag" in line 4 of the claim should read "a λ -tag". Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Doerr et al. (U.S. Patent 5,625,478).

Regarding claim 22, Doerr et al. discloses in FIG. 1A a ring network. FIG. 1A comprises four (4) terminals to which unique wavelengths λ_1 - λ_4 are allocated respectively and a single controller (central office). Each terminal adds/drops its own assigned wavelength and the central office adds/drops all wavelengths. The central office contains an ATM switch which routes packets based on destination address.

Regarding claim 24, Doerr et al. teaches in FIG. 1A to use tap and local filter to add/drop its own assigned wavelengths.

Claim Rejections - 35 USC § 103

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doerr et al. (U.S. Patent 5,625,478) in view of Azizoglu et al. (U.S. Patent 6,430,201 B1).

Doerr et al. has been discussed above in regard to claim 22. The difference between Doerr et al. and the claimed invention is that Doerr et al. does not teach to temporarily store packets in a buffer. Azizoglu et al. suggests in FIG. 3 to use FIFO as buffers when multiplexing packets from several sources using TDM. One of ordinary skill in the art would have been motivated to combine the teaching of Azizoglu et al. with the ring network of Doerr et al. because storing packets in a FIFO resolves contention and avoids dropping packets. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to use include buffers for storing packets, as taught by Azizoglu et al., in the ring network of Doerr et al. because storing packets in a FIFO resolves contention and avoids dropping packets.

7. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Doerr et al. (U.S. Patent 5,625,478) in view of Chawki et al. (U.S. Patent 5,576,875).

Doerr et al. has been discussed above in regard to claim 22. The difference between Doerr et al. and the claimed invention is that Doerr et al. does not teach another ring network. Chawki et al. teaches in FIG. 2a multi-ring network wherein B0 is a main ring and B1, B2 and B3 are subrings. Headstation T connects a subring to the main ring. Headstation T differentiates traffic from different rings based on the interface (fiber) and differentiates traffic from different

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terminals within a ring based on wavelength; two terminals on different ring can use the same wavelengths. One of ordinary skill in the art would have been motivated to combine the teaching of Chawki et al. with the ring network of Doerr et al. because Chawki et al. expands the network to serve more terminals by reusing wavelengths while only a limited number of wavelengths are available for practical use in WDM. Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to expand the ring network of Doerr et al. to multi-ring network, as taught by Chawki et al., because Chawki et al. expands the network to serve more terminals by reusing wavelengths while only a limited number of wavelengths are available for practical use in WDM.

Allowable Subject Matter

8. Claims 1-2, 4-6 and 9-11 are allowed.
9. Claims 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

10. Applicant's arguments with respect to claims 17 and 22-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shi K. Li whose telephone number is 571 272-3031. The examiner can normally be reached on Monday-Friday (8:30 a.m. - 5:00 p.m.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 571 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

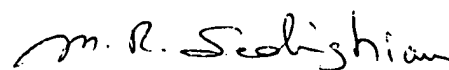
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skl

12 January 2005



M. R. SEDIGHIAN
PRIMARY EXAMINER